



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

INTERNATIONAL BUSINESS MACHINES  
CORPORATION,

Plaintiff,

v.

JEFF S. SMITH,

Defendant.

No. 17 Civ. 5808 CS)

**[PLAINTIFF'S PROPOSED] ORDER  
TO SHOW CAUSE FOR AN ORDER  
FOR LEAVE TO FILE UNDER SEAL**

Upon the Summons and Complaint of Plaintiff International Business Machines Corporation ("IBM") and the application by IBM for the entry of an Order, pursuant to Rule 26(c)(1) of the Federal Rules of Civil Procedure, providing for filing under seal certain materials to be submitted in connection with this action, and the Court having read and considered the Declaration of Arvind Krishna, dated \_\_\_\_\_, 2017; and good and sufficient reason appearing to me therefore;

THEREFORE, it is on this \_\_\_\_ day of \_\_\_\_\_, 2017;

ORDERED that Defendant Jeff Smith or his counsel show cause at a hearing to be held in this Court before the Honorable \_\_\_\_\_, United States District Judge, in Courtroom \_\_\_\_\_, United States Courthouse, 300 Quarropas Street, White Plains, New York, on \_\_\_\_\_, 2017 at \_\_\_\_\_ .m., or as soon thereafter as counsel may be heard, why the Court should not enter an order granting IBM's application for leave to file under seal.

IT IS SO ORDERED.

Dated: \_\_\_\_\_, 2017.  
White Plains, New York

\_\_\_\_\_  
U.S.D.J.